

REMARKS/ARGUMENTS

In the Office Action dated September 23, 2008, the Examiner rejected, *inter alia*, claim 24 under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Specifically, the Examiner asserted that the claim involves “software” and suggested that the term “computer-readable medium” is required in order for claim 24 to comply with 35 U.S.C. § 101. Appellants filed a Notice of Appeal on December 22, 2008. Appellants have not yet filed an Appeal Brief.

During a telephone conversation on February 11, 2009, the Examiner assured the undersigned that an amendment to claim 24 replacing the term “storage device” with “computer-readable medium” would be entered and would dispose of any 35 U.S.C. § 101 rejections in the case.

Merely to expedite prosecution, Appellants submit herewith amendments to claims 24-26 consistent with the agreement between the Examiner and the undersigned. Because these amendments comply with the Examiner’s suggestions and further because these amendments place the case in better form for appeal by disposing of a 35 U.S.C. § 101 rejection, Appellants respectfully request entry of the amendments.

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

/Nick P. Patel/

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